

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: SIMPLY ORANGE ORANGE JUICE
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2361

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -3)

On June 11, 2012, the Panel transferred 1 civil action(s) to the United States District Court for the Western District of Missouri for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* F.Supp.2d (J.P.M.L. 2012). Since that time, 6 additional action(s) have been transferred to the Western District of Missouri. With the consent of that court, all such actions have been assigned to the Honorable Fernando J Gaitan, Jr.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Missouri and assigned to Judge Gaitan.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Western District of Missouri for the reasons stated in the order of June 11, 2012, and, with the consent of that court, assigned to the Honorable Fernando J Gaitan, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Missouri. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

Jul 10, 2012

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the Western District of Missouri.

Date Filed: 7/10/12 ANN THOMPSON, CLERK

By: [Signature] Deputy Clerk

**IN RE: SIMPLY ORANGE ORANGE JUICE
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2361

SCHEDULE CTO-3 – TAG-ALONG ACTIONS

| <u>DIST</u> | <u>DIV.</u> | <u>C.A.NO.</u> | <u>CASE CAPTION</u> |
|---------------------|--------------------|-----------------------|---------------------------------------|
| CALIFORNIA NORTHERN | | | |
| CAN | 3 | 12-03168 | Boykin v. Simply Orange Juice Company |